

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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| ELI LILLY AND COMPANY, Plaintiff, v. SUN PHARMACEUTICAL INDUSTRIES LIMITED, SANDOZ INC., MYLAN PHARMACEUTICALS INC., APOTEX INC. and AUROBINDO PHARMA LTD., Defendants. | Civil Action No. 07-3770 (DMC) |
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NOTICE OF DEFENDANTS UNDER 35 U.S.C. § 282

Pursuant to the provisions of 35 U.S.C. § 282, Defendants, Sandoz Inc., Mylan Pharmaceuticals Inc., Apotex Inc., Aurobindo Pharma Ltd. and Sun Pharmaceutical Industries Limited, hereby give notice of the following patents, foreign patent publications and literature publications as follows:

I. United States Patents

| Patent Number | Issue Date | Inventor |
|---------------------------|-------------------|-----------------|
| U.S. Patent No. 4,314,081 | February 2, 1982 | Molloy et al. |
| U.S. Patent No. 4,018,895 | April 19, 1977 | Molloy et al. |
| U.S. Patent No. 4,626,549 | December 2, 1986 | Molloy et al. |
| U.S. Patent No. 5,441,985 | August 15, 1995 | Foreman |
| U.S. Patent No. 4,194,009 | March 18, 1980 | Molloy et al. |
| U.S. Patent No. 4,847,092 | July 11, 1989 | Thakkar et al. |
| U.S. Patent No. 5,281,624 | January 25, 1994 | Gehlert et al. |

II. Foreign Patent Publications

| Patent Number | Issue Date | Inventor |
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| Canadian Patent No. 1,181,430 | January 22, 1985 | Foster |

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| STPAT00945406-08 1/17/97 Communication from European Patent Office in the prosecution history of European Patent Application No. 96300157.3 | January 17, 1997 | |
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III. Publications

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| Baldessarini R., <i>Chemotherapy In Psychiatry</i> . Cambridge, MA: Harvard University Press, 4:130-234 (1985) (DX 77) |
| Biederman, et al., <i>Desipramine in the Treatment of Children with Attention Deficit Disorder</i> , J. Clin. Psychopharmacol., 6:359-363 (1986) (DX 296) |
| Biederman, et al., <i>A Double-Blind Placebo Controlled Study of Desipramine in the Treatment of ADD: I. Efficacy</i> , J. Am. Acad. Child Adolesc. Psychiatry, 28, 777-784 (1989) (DX 15, 165) |
| Biederman et al., <i>Psychopharmacology of Adults with Attention-Deficit/Hyperactivity Disorder</i> , Primary Psychiatry, 11(7):57-62 (2004) (DX 171) |
| Bolden-Watson, et al., <i>Blockade by Newly-Developed Antidepressants of Biogenic Amine Uptake into Rat Brain Synaptosomes</i> , Life Sciences, 52(12), 1023-1029 (1993) (DX 33) |
| Donnelly, et al., <i>Treatment of Childhood Hyperactivity with Desipramine: Plasma Drug Concentration, Cardiovascular Effects, Plasma and Urinary Catecholamine Levels, and Clinical Response</i> , Clinical Pharmacology and Therapeutics 39(1), 72-81 (1986) (DX 75) |
| Fuller, R. W. and Wong, D. T., <i>Effects of Antidepressants on Uptake and Receptor Systems in the Brain</i> , Prog. Neuro-Psychopharmacol. & Biol. Psychiat., 9:485-90 (1985) (DX 29) |
| Gastfriend, D., et al., <i>Desipramine in the Treatment of Adolescents With Attention Deficit Disorder</i> , Am. J. Psychiatry 141:7, 906-908 (1984) (DX 293) |
| Gastfriend, et al., <i>Desipramine in the Treatment of Attention Deficit Disorder in Adolescents</i> , Psychopharmacology Bulletin, 21(1):144-145 (1985) (DX 294) |
| Spencer, et al., <i>Desipramine Treatment of Children with Attention-deficit Hyperactivity Disorder and Tic Disorder or Tourette's Syndrome</i> , J. Am. Acad. Child Adolesc. Psychiatry, 32(2):354-360 (1993) (DX 302) |
| Spencer, et al., <i>Effectiveness and Tolerability of Tomoxetine in Adults With Attention Deficit Hyperactivity Disorder</i> , Am. J. Psychiatry, 155:5, 693-695 (1998) (DX 169) |
| Spencer, et al., <i>An Open-Label, Dose-Ranging Study of Atomoxetine in Children with Attention Deficit Hyperactivity Disorder</i> , Journal of Child and Adolescent Psychopharmacology, 11(3): 251-265 (2001) (STNDA000178497-STNDA000178511) |
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| Wong, et al., <i>A New Inhibitor of Norepinephrine Uptake Devoid of Affinity for Receptors in Rat Brain</i> , J. Pharmacol. Exp. Therap., 222, 61-65 (1982) (DX 137) |
| Zametkin, et al., <i>Neurobiology of Attention Deficit Disorder With Hyperactivity: Where Have We Come in 50 Years?</i> , J. Amer. Acad. Child Adolesc. Psychiat., 26, 5:676-686 (1987) (DX 76) |
| Zerbe, et al., <i>Clinical Pharmacology of Tomoxetine, a Potential Antidepressant</i> , J. Pharmacol. Exp., Ther., 232, 139-143 (1985) (STNDA00019490-STNDA00019494) |

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| STPAT00082939 (DX 11) | 7/19/2000 e-mail from John Heiligenstein to David Michelson regarding history of tomoxetine |
| STIND00012109-STIND12182 (DX 14) | Tomoxetine Hydrochloride, Protocol B4Z-MC-HFBC Safety and Pharmacokinetic Study of in Pediatric Patients with ADHD, Protocol Approved by Lilly: July 8, 1997 |
| | Ferris R.M., et al., <i>A Comparison of the Capacities of Isomers of Amphetamine, Deoxypipradol and Methylphenidate to Inhibit the Uptake of Tritiated Catecholamines into Rat Cerebral Cortex Slices, Synaptosomal Preparations of Rat Cerebral Cortex, Hypothalamus and Striatum and into Adrenergic Nerves of Rabbit Aorta</i> , J. Pharmacol. Exp. Ther. 181:407-416 (1972) |
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| | Ross S.B., <i>The Central Stimulatory Action of Inhibitors of the Dopamine Uptake</i> , Life Sciences, 24:159-168 (1979) |
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| | Hunt R.D., et al., <i>The Therapeutic Effect of Clonidine in Attention Deficit Disorder with Hyperactivity: A Comparison With Placebo and Methylphenidate</i> , Psychopharmacology Bulletin, 22:229-236 (1986) |
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| Atomoxetine Drug Delivery: Line Extension Opportunities, dated 06/22/2007 |

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 16, 2010, a true and correct copy of the foregoing NOTICE OF DEFENDANTS UNDER 35 U.S.C. § 282 was filed electronically with the Court's CM/ECF system, which will provide electronic notice to the following:

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